

# M E E T I N G M I N U T E S

*Meeting:* Evergreen Visioning Project Meeting #5

*Date:* January 22, 2004

---

The fifth meeting of the Evergreen Visioning Project Task Force was held on January 22, 2004 at the Eastridge Mall Community Room at 7:00 PM.

**Task Force Attendees Present:** Alan Covington (Charrette participant), Cindi Schisler (Meadowlands), Daniel Gould (Silver Creek Valley Country Club), Garth Cummings (Charrette Participant), Homing Yip (EHRAG), Ike White (Mt. Pleasant), Jim Zito (Quimby Hills), Khanh Nguyen (Charrette participant, West Evergreen SNI), Lillian Jones (Charrette participant), Mark Milioto (Evergreen Little League), Paul Pereira (Millbrook), Rick Caton (Charrette participant), Sherry Gilmore (Charrette participant, Holly Oaks), Steve Tedesco (Charrette Participant, Boys & Girls Club), Tom Andrade (Charrette participant, EESD Superintendent), Vince Songcayawon (EBPA)

**Members of the Public Present:** Long Chen

**Other:** Councilmember Dave Cortese, PBCE Deputy Director Laurel Prevetti, PBCE Senior Planner Britta Buys, Bonnie Moss, Bo Radonovich, Steve Dunne, Gerry De Young, Joe Sordi, Mark Day, Dean Isaacs, Rabia Chaudhry

## I. WELCOME AND INTRODUCTION

Councilmember Cortese welcomed the group and explained that this meeting would be more presentation style than dialogue oriented. He also mentioned that some of representatives of the relevant properties were present in the audience.

*Task Force Member Rick Caton* asked about ways for the task force to stay connected, perhaps by sharing contact info with each other.

Councilmember Cortese responded that his office will set up a yahoo group to allow the group to confer while allowing their contact info to remain private.

*Laurel Prevetti* reported that each member has received a binder containing many of the materials relevant to this process. It is hoped that members will bring this information with them to each meeting.

## II. DISCUSS EXISTING TRAFFIC POLICY

*Senior Planner Britta Buys* gave an overview of the existing traffic policy for the city of San Jose. The General Plan identifies specific service level goals for several major categories of urban services that are provided by the City, including transportation, flood protection, sanitary and storm sewers, and sewage treatment. The level of service policies for these facilities, are based on the capacity of the existing infrastructure systems. Individual projects must meet the General Plan level of service goals.

---

The City's delivery of urban services is prioritized to:

- Provide services and facilities designed to serve existing needs;
- Prevent the deterioration of existing level of service; and
- Upgrade City service levels when feasible.

For transportation, the overall minimum performance for City streets during peak travel periods should be level of service "D". LOS "D" is when traffic backs up at a signal, but will clear when the light turns green.

Recognizing that certain geographic areas within the City require more specific or alternate service policies and mitigation measures, the General Plan gives the City Council the ability to adopt an "area development policy." An area development policy establishes special traffic level of service standards for a specific geographic area, which determines development impacts and mitigation measures. The Council has adopted policies for Evergreen, North San Jose, and Edenvale.

The original *Evergreen Area Development Policy* was adopted in 1976, covering the area defined as land within San Jose's Urban Service Area Boundary, south of Story Road and east of U.S.-101. The *Policy* was based on City analyses that concluded that transportation and flood protection deficiencies signified substantial constraints to development in Evergreen.

The EDP, as it is known, identified specific programs and policies for correcting the service deficiencies, and established an allocation program to phase residential development based on available traffic capacity and planned traffic improvements. The Level of Service (LOS) policy for the Evergreen area required that new development not degrade the average traffic capacity of screenline intersections to less than "D." Screenline intersections are gateway intersections leading into Evergreen.

In the case of flood protection, development was permitted only if the 100-year flood protection was in place for each project and downstream of each project.

The EDP was revised several times in the early 1990's to update information on the affected watersheds and street system improvements required to allow development of the remaining planned dwelling units.

The current Evergreen Area Development Policy, as revised May 9, 1995, continues to provide the framework for the build-out of the Evergreen area. Traffic Level of Service (LOS) and hundred-year flood protection continue to be the prerequisites to project approvals.

The EDP allows development only if adequate transportation facilities are provided to maintain existing plus approved Level of Service throughout the area.

The residential development potential in the EDP area is 4,759 units, based on the General Plan as approved in December of 1994. A Benefit Assessment District was formed to fund over \$9.5 million of transportation improvements in the area to accommodate this potential.

Any property participating in the Benefit Assessment District was allocated approved vehicle trips based on the parcel's planned residential dwelling unit yield. Development proposals seeking to increase the unit yield on a participating property, and thus increase the trips, were required to mitigate the impacts of the additional units based on a traffic analysis.

---

Any proposed residential development not included in the Benefit Assessment District was required to conduct a traffic analysis, and mitigate any project impacts.

In light of recent interest in new development in the EDP area, and in order to support our effort here and prevent piecemeal General Plan changes and EDP modifications, staff is recommending that the Council adopt a resolution to clarify and reaffirm the *Evergreen Area Development Policy*, and discourage all rezoning and General Plan amendments in the Evergreen area for residential uses that require additional residential unit allocations or density increases until the completion of the *Evergreen Smart Growth Strategy*. A memorandum and resolution will be considered by the City Council on Tuesday, January 27<sup>th</sup>.

The City is currently revising the Level of Service Policy to specifically address smart growth at key intersections; however, this change will not affect the area development policies. It is possible that as a result of our Visioning Project and the *Evergreen Smart Growth Strategy* effort, a new *Evergreen Area Development Policy* will be proposed to facilitate proposed land uses.

*Rick Caton* expressed concern over smaller (i.e. "mom and pop") businesses being able to develop alongside larger businesses. *Councilmember Cortese* responded that we will need to create a policy that addresses all scales of businesses.

*Task Force member Jim Zito* commented whatever public or private improvements occur, traffic mitigation must occur simultaneously if not beforehand. *Councilmember Cortese* agreed and we are committed to following this as it is captured in our Guiding Principles.

*Task Force member Alan Covington* asked what the purpose was of the 1/27/04 memo. *Prevetti* responded that primarily it was to let the development community know that if they have already allocations then the city will process their permits. Those groups seeking additional units will have to go through this process. She then told the group that she anticipates getting to them detailed information on am/pm traffic movements at key intersections and staff from other departments will be brought in to elaborate.

*Rick Caton* asked how the "trip per day" policy is determined.

*Prevetti* responded that it is a complex set of ratios and formulas.

*Jim Zito* commented that family car trips per day changes over time (increasing) but the policy does not reflect this.

*Task Force member Sherry Gilmore* agreed, citing that these days there are many multigenerational homes which increased the number of persons per home.

*Councilmember Cortese* added that the same holds for homes with senior citizens in that the car trips per day is likely to be lower.

*Prevetti* responded that while the algorithms are sensitive to the type of household they do not account for the cultural/generational nature of homes.

*Task Force member Dan Gould* asked how the traffic models are calibrated and kept up to date.

*Prevetti* responded that two analyses are used in the City of San Jose, a short term (if you build a home today, what are its effects on surrounding streets in today's world) and a long term (county and region-wide model and there are all sorts of assumptions).

*Gould* asked how the assumptions are validated.

*Prevetti* said that the Department of Transportation (DOT) goes out to do counts frequently for the short-term analysis. The long-term analysis is recalibrated every five years and right now the city is in the midst of this process. Neither of these models affects the allocation policy but will be considered in the context of the Visioning Project.

*Jim Zito* commented that weekend trips are more intense than weekday trips and need to be examined. *Prevetti* responded that typically weekend trips aren't accounted for but the

---

task force would need to decide on a policy that acknowledges the weekend bottlenecks known to occur in Evergreen.

*Task Force member Ike White* asked if traffic counts are modified from a home resale standpoint and what triggers new counts.

*Prevetti* responded that the trigger is the age of the project. There is no attempt to correspond with resales although this is a great point and may be worth further consideration.

### **III. DISCUSS REVISED AMENITIES LIST**

*Prevetti* commented that since the November meeting additional comments had been submitted regarding this list and therefore it is being re-presented with revisions.

*Councilmember Cortese* commented that where items 12, 13 and 14 are concerned, these can all be captured under quality retail and be listed as bullets underneath. With regard to movie theaters, he said that Eastridge Mall will be adding a multiplex to their site.

*Rick Caton* asked if there was a decision regarding the ice rink.

*Cortese* responded that the Alliance to save the ice arena made a deal with General Growth to stay until April 2004 and he is working with the Alliance and other interests to locate a transition facility.

*Councilmember Cortese* suggested having a category of additional government services and listing these details as bullets.

*Alan Covington* commented that a full service United States postal office should be added to the list.

*Task Force member Lillian Jones* asked that a DMV be added, too.

*Rick Caton* asked how the new Police Chief feels about new police substations.

*Councilmember Cortese* responded that in Chief Davis' swearing-in speech, 50% was devoted to his commitment to community policing.

*Dan Gould* asked that under the "additional government services" category a bullet be added saying, "all services rendered to small cities."

*Task Force member Tom Andrade* commented that Gilroy, although a city of just 40,000 has many amenities that are lacking in Evergreen, a district of 90,000.

*Councilmember Cortese* commented that the task force seems to be heading in the direction of making Evergreen a sustainable community.

*Dan Gould* asked that a new item be added to the amenities list – the allocation of 40 to 60 acres of land for a public high school. He also asked the group to consider adding a satellite catholic school campus.

*Councilmember Cortese* commented that at minimum the latter would need to be a private transaction because we cannot give primacy to one faith/interest over another. If the group wants to allocate a location for either of these two, that is fine, but we cannot appropriate land as that would be unconstitutional. Furthermore, accommodating population growth in terms of schools has already been made a priority in the key outcome 3 of the Guiding Principles. The group was generally concerned over development that occurs in Evergreen and the lack of accommodation in neighborhood schools.

*Councilmember Cortese* explained that the California Environmental Quality Act (CEQA) is what requires projects to get an Environmental Impact Report (EIR). CEQA states that a project applicant need not consider impacts to schools when developing the EIR. Instead, there is a statutory school impact fee, which is typically inadequate.

*Cortese* suggested adding bullet one of key outcome 3 of the Guiding Principles to the Community Amenities list to ensure this issue is sufficiently considered.

---

*Tom Andrade* commented that that Evergreen Elementary School District has remained involved in the development process and therefore has been able to manage the situation. *Alan Covington* commented that schools are a necessity – should they be on an “amenities” list? *Cortese* said that we will re-agendize this item for further discussion.

#### **IV. NEXT STEPS**

*Cortese* commented that the discussion of land use opportunities would be carried over to the next meeting. He asked the group about the feasibility of meeting two times per month for the next two months in order to remain on schedule. The group agreed and the following dates were selected: 2/11, 2/25, 3/10 and 3/24. *Cortese* also stated that we need to pick another two dates for the field trip and this will be discussed in subsequent emails to the group. The meeting adjourned at 9PM.